



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/734,333	11/30/2000	Krishnamurthy Srinivasan	10559/362001/P10096	3828

20985 7590 08/28/2003

FISH & RICHARDSON, PC
4350 LA JOLLA VILLAGE DRIVE
SUITE 500
SAN DIEGO, CA 92122

[REDACTED] EXAMINER

DAS, CHAMELI

[REDACTED] ART UNIT

[REDACTED] PAPER NUMBER

2122

DATE MAILED: 08/28/2003

6

Please find below and/or attached an Office communication concerning this application or proceeding.

PRL

Office Action Summary	Application No.	Applicant(s)
	09/734,333	SRINIVASAN ET AL.
Examiner	Art Unit	
C.DAS	2122	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 30 November 2000.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-27 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED DESCRIPTION

1. Claims 1-27 are pending.

Claim Objection

2. Claim 21 is objected to because of the following informalities:

In claim 21, line 2, after Jini proxy ".]" should be replaced by --.--. Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 5 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claim 5 the limitation "a method as in claim for wherein said at least ... broker in a search" makes the claim unclear. The examiner is interpreting this limitation as "a method as in claim 1 for wherein said at least one aspect includes keyword information, which can be used by the broker in a search".

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 2122

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1, 3, 4-7, 12-15 and 22 –25 are rejected under 35 U.S.C. 102(e) as being anticipated by Alcorn et al (Alcorn), US 6,263,498.

As per claims 1 and 22, Alcorn discloses:

- obtaining a non java object (Alcorn, col 13 lines 30-32, The program to be modified may be for example, a COBOL program or any other non-Java object")

- converting said non java object into a wrapped object which has certain attributes of a Java object (Alcorn, col 13 lines 30-44, " the program to be modified ... Java object that can be morphed", col 13 lines 48-52, "Non Java objects or programs can be modified by adding an interface that allows the object or program to be modified using dips"), col 5 lines 12-18, "A program may be wrapped to turn the program... dippable object") and col 11 lines 21-54, "providing a interface to a non-object oriented program ... Java objects or components")

- publishing said wrapped object with a broker that publishes information about Java object (col 5 lines 39-60, "Various Java been ... CORBA goes beyond just

interoperability") and (col 11 lines 40-55, "Wrapping process ... Java object components").

As per claim 3, Alcorn discloses: said wrapped object is formed with a wrapper (col 11 lines 33-55 and col 12 lines 9-14).

As per claim 4, Alcorn discloses: converting comprises inspecting said non java object ... non java object (col 13 lines 25-50).

As per claim 5, Alcorn discloses: at least one aspect ... broker in a search (col 5 lines 47-62).

As per claim 6, Alcorn discloses: comprising searching... non java object based on said searching (col 5 lines 45-65 and col 6 lines 60-67).

As per claims 7 and 24, Alcorn discloses: at least one aspect includes at least one of methods of functionality (col 5 lines 5-18).

As per claim 12, Alcorn discloses: storing a non Java object (col 4 lines 58-62) . For the rest of the limitation see the rejection of claim 1 above and further Alcorn discloses a bridge portion (Alcorn, col 4 lines 1-45).

As per claim 13, Alcorn discloses: a broker for Java object ... communication link (Alcorn, col 5 lines 39-67, col 4 lines 1-30).

As per claim 14, Alcorn discloses: bridge portion ... said broker (col 5 lines 20-67, col 4 lines 1-45, col 6 lines 53-67).

As per claims 15 and 23, Alcorn discloses: aspects includes ... non java object (col 6 lines 55-67).

As per claim 25, Alcorn discloses: graphical user interface (Alcorn, col 6 lines 30-45).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2, 10, 17 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alcorn et al, US 6,263,498 and further in view of Graham et al, US 6,594,700 (Graham).

As per claims 2 and 17, Alcorn does not specifically disclose that broker is a Jini broker. However, **Graham discloses that the broker is a Jini broker** (Graham, col 7 lines 35-38, "In the case of brokering a UpnP-based service to a Jini client ... requesting client").

Therefore, it would have been obvious to one of the ordinary skill in the art to incorporate the teaching of Graham to the method of Alcorn. The modification would be obvious because Jini is based on the concept of creating a "federation" of self' configuring devices capable of transparently exchanging code when necessary to simplify interactions between network devices.

For claim 26, see the rejection of claim 1 and 2 above.

As per claim 10, Alcorn discloses: updates broker if the service is still up and running (Alcorn, col 5 lines 20-64, col 6 lines 2-52). Alcorn does not specifically

Art Unit: 2122

disclose automatically updating. Official notice is taken in automatically updating. The modification would be obvious because one of the ordinary skill in the art would be motivated to reduce or eliminate human intervention to complete a task.

7. Claims 8, 9, 1118, 21 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alcorn et al, US 6,263,498 and further in view of Graham et al, US 6,594,700 (Graham) and Herrendoerfer et al (Herrendoerfer), US 6,473,759

As per claim 8, neither Alcorn nor Graham disclose that proxy code. **However, Gerrendoerfer discloses that proxy code** (col 2 lines 20-26). The modification would be obvious because the proxy protects network identities while still providing access to the Internet.

As per claim 9, Alcorn discloses: updating information is said broker (col 6 lines 53-65 and col 5 lines 47-64). Alcorn does not disclose automatically updating. Official notice is taken in automatically updating. The modification would be obvious because one of the ordinary skill in the art would be motivated to reduce or eliminate human intervention to complete a task.

For claim 19 see the rejection of claim 1 and 9 above.

As per claims 11, 18 and 21, Alcorn discloses: the wrapped object (Alcorn, col 12 lines 9-13). Alcorn does not specifically disclose Jini. However, Graham discloses that the broker is a Jini broker (Graham, col 7 lines 35-38, "In the case of brokering a UpnP-based service to a Jini client ... requesting client").

Art Unit: 2122

Therefore, it would have been obvious to one of the ordinary skill in the art to incorporate the teaching of Graham to the method of Alcorn. The modification would be obvious because Jini is based on the concept of creating a "federation" of self configuring devices capable of transparently exchanging code when necessary to simplify interactions between network devices.

Neither Alcorn nor Graham disclose that proxy code. However, Gerrendoerfer discloses that proxy code (col 2 lines 20-26). The modification would be obvious because the proxy protects network identities while still providing access to the Internet.

As per claim 27, Alcorn discloses wrapping said Java object to look like a Java (Alcorn col 5 lines 5-20). Alcorn does not disclose proxy code. However, Gerrendoerfer discloses that proxy code (col 2 lines 20-26). The modification would be obvious because the proxy protects network identities while still providing access to the Internet.

8. ***Claims 16 and 20 are*** rejected under 35 U.S.C. 103(a) as being unpatentable over Alcorn et al, US 6,263,498 and further in view of Fujimori, US 5,995,506.

As per claims 16 and 20, Alcorn discloses bridge and stores a java object (col 4 lines 1-20 and col 4 lines 55-62). Alcorn does not specifically disclose attributes to be updated at specified intervals. However Fujimori discloses that attributes to be updated at specified intervals (Fujimori, col 9 lines 23-27). The modification would be obvious because the transmission unit transmits the attribute information to the receiving unit only when the demand for transmission of the attribute information is received.

Art Unit: 2122

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chameli Das whose telephone number is 703-305-1339.

The examiner can normally be reached on Monday-Friday from 8:00 A.M. to 4:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor Tuan Dam can be reached at 703-305-4552. The fax number for this group are:

(703) 746-7239 (official fax), (703) 746-7240 (non-official/draft), (703)746-7238 (after final).

An inquiry of general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is 703-305-9600.

Chameli C. Das

Chameli C. Das

Patent Examiner

Art Unit 2122

8/22/03